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December 31, 2014

VIA ECF

Magistrate Judge A. Kathleen Tomlinson
United States Magistrate Judge
United States District Court
Eastern District of New York
100 Federal Plaza
Central Islip, New York 11722

Re: Official Committee of Unsecured Creditors of Exeter Holding, Ltd.
v. Linda Haltman, et al.
Case No.: 13-CV-05475-JS-AKT

Dear Magistrate Judge Tomlinson:

Cullen and Dykman LLP is counsel for defendants Bruce and Kathleen Frank, among others, in this action.¹ This letter is respectfully submitted on behalf of the Frank Defendants to join in the letter motion by counsel for the Haltman Defendants filed on September 8, 2014 (Docket Entry # 71; “Letter Motion”). By the Letter Motion, the Haltman Defendants moved to preclude the plaintiff from presenting evidence on a motion or at trial or hearing relating to the allegations that funds of Exeter Holding Ltd. were used to pay personal expenses of various defendants. The Frank Defendants did not initially join in the Letter Motion because our initial reading of the Letter Motion concluded that the relief sought by the Haltman Defendants encompassed the Frank Defendants as well. However, in an abundance of caution, and in the event that the Letter Motion may not be read as expansively as believed by the Frank Defendants, the Frank Defendants hereby join in the Letter Motion and seek the same relief sought therein.

¹ Cullen and Dykman LLP represents the following: Bruce Frank, Bruce Frank as Trustee for the Arnold and Sondra Frank Irrevocable Trust; Bruce Frank as Trustee for the B.F. Trust; Bruce Frank as Trustee for the E.F. Trust; Bruce Frank as Trustee for the J.F. Trust; Bruce Frank as Trustee for the K.F. Trust; Bruce Frank as Guardian of Minor B.F.; Bruce Frank as Guardian of Minor E.F.; Bruce Frank as Guardian of Minor J.F.; Bruce Frank as Guardian of Minor K.F.; Kathleen Frank; Kathleen Frank as Trustee for the B.F. Trust; Kathleen Frank as Trustee for the E.F. Trust; Kathleen Frank as Trustee for the J.F. Trust; Kathleen Frank as Trustee for the K.F. Trust; Kathleen Frank as Guardian of Minor B.F.; Kathleen Frank as Guardian of Minor E.F.; Kathleen Frank as Guardian of Minor J.F.; Kathleen Frank as Guardian of Minor K.F.; B.F. Trust; E.F. Trust; J.F. Trust; K.F. Trust; B.F.; E.F.; J.F.; and K.F. (“Frank Defendants”).

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For all of the reasons set forth in the Letter Motion, which we will not repeat at length here, the Frank Defendants believe that the Plaintiff's Rule 26 disclosures do not apprise the various defendants of their exposures with respect to the Family Expenses Fraud claims, were therefore deficient and that the relief sought by the Haltman Defendants should be granted as to the Frank Defendants as well as the Haltman Defendants.

Respectfully submitted,



Bonnie L. Pollack

cc.: All Counsel (Via ECF)